

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

THE UNITED STATES OF AMERICA

V.

ALBERT LYNN BARCROFT

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§  
§  
§  
§

CASE NO. 4:07cv100


**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 16, 2009, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Barcroft's Motion for Summary Judgment (Dkt. 305) be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Barcroft's Motion for Summary Judgment (Dkt. 305) is DENIED.

**IT IS SO ORDERED.**

**SIGNED this 8th day of April, 2009.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE